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High Peak Borough Council

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TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

FULL PLANNING APPLICATION

PERMISSION

Applicant Mrs Jenny Kieras
40 The Avenue
Hadfield
Glossop
SK13 2AN

Application no. HPK/2011/0401

Registered on 29/09/2011

Determined on 23/11/2011

Agent

High Peak Borough Council hereby **PERMIT** this application for **FULL PLANNING PERMISSION** for

Change of Use of premises from retail to A3 cafe at 73 High Street West Glossop

in accordance with the submitted application, details and accompanying plans listed below subject to the following conditions and reasons:-

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission unless some other specific period has been indicated in other conditions given.

2. The premises shall be used for a cafe/coffee shop and for no other purpose (including any other purpose in class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without that Order).

3. This permission shall relate to the use of the premises only. There shall be no external alterations to the premises whatsoever including the installation of a flue or further extraction unit than those shown on the approved plans without the prior written approval of the local

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Michael Green
Planning Applications Manager

planning authority.

4. There shall be no outside seating area for the use hereby approved.

Reasons

1. The time limit condition is imposed in order to comply with the requirements of sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990 and section 51 of the Planning and Compulsory Purchase Act 2004.

2. To define the permission for the avoidance of doubt in the interests of amenity, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

3. To define the permission for the avoidance of doubt.

4. In order to protect the amenities of the area and adjacent residential dwellings, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

Summary of reasons for granting permission

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal where the use is acceptable within the Town Centre environment and does not adversely affect the amenity of adjacent residential occupiers or wider area.

The decision to grant planning permission has also been taken having regard to all other relevant material planning considerations and to the following relevant policies and proposals in the Development Plan.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC5 - Conservation Areas
TC1 - Town Centres
TC2 - Town Centre Environment
TC5 - Small shops
TC6 - Retention of Local Centres and Village Shops

National Planning Policy

PPS1 Delivering Sustainable Development

PPS4 Planning for Sustainable Economic Development

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PPS5 Planning for the Historic Environment

Notes to Applicant

The applicant is advised that the use approved does not permit the preparation of hot food to the extent that would require the installation of a flue under environmental health legislation. Should operations on site be deemed to require the installation of a ventilation and extraction system other than an expelair type fan, consent under the Planning Act 1990 would also be required for both the necessary flue, and for a change of use than that approved, to that of either a restaurant (A3) or Hot Food Takeway (A5).

Plans

The plans to which this Notice refers are listed below:

Location Plan Rev A
Site Plan
2406.1 Rev A

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section on 0845 129 7777.

Any other statutory consent necessary must be obtained from the appropriate authority.

Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority, Derbyshire, County Council at County Hall, Matlock, Derbyshire, tel. 01629 580000.

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.highpeak.gov.uk for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a “condition precedent”. The following should be noted with regards to conditions precedent:
(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
(b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

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Planning Applications Manager

The permission is granted in strict accordance with the approved plans. It should be noted however that:
(a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
(b) Variation to the approved plans will require the submission of a new planning application.

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Michael Green
Planning Applications Manager

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